The Australasian Institute of Mining and Metallurgy

Supplemental Royal Charter

*Elizabeth the Second,* by the Grace of God Queen of Australia and of Our Realm of New Zealand and Her Other Realms and Territories, Head of the Commonwealth,

GREETING:

Whereas Your Majesty Queen Elizabeth the Second on 16 September 1955 by Royal Charter (here called ‘the Original Charter’) constituted a Body Corporate and Politic by the name of ‘The Australasian Institute of Mining and Metallurgy’ (then referred to as ‘The Institute’ and herein called ‘The ‘AusIMM’) with perpetual succession and a Common Seal:

And Whereas on 8 December 1987 We have assigned to The Governor-General of the Commonwealth of Australia and to The Governor-General of the Realm of New Zealand all of our powers and functions in respect of the issuing of Letters Patent:

a. granting a Supplemental Charter to anyone in the Commonwealth of Australia and the Realm of New Zealand to whom a Charter of incorporation has been granted by Us or Our predecessors; or

b. revoking, amending or adding to, any Charter of incorporation or Supplemental Charter granted to anyone in the Commonwealth of Australia or in the Realm of New Zealand by Us or Our predecessors,

and have authorized the Governors-General to exercise any of those powers and functions in Our name and on Our behalf:

And Whereas The AusIMM has made representations to Us as follows:

That since the grant of the Original Charter The AusIMM has pursued the aims and objects of the Charter and has sought to promote and advance the science and profession of engineering with special reference to mining and metallurgy in all its branches and to facilitate the exchange of information and ideas in relation thereto.

That it has done so by raising the character and status and advancing the interests of the profession of engineering with special reference to mining and metallurgy and to the related disciplines of geology and environmental science, and of minerals sector education, administration and management, by increasing the confidence of the community by admitting to The AusIMM only such persons who have satisfied the Board (and prior to the existence of the Board, the Council) that they have an adequate
knowledge of both the theory and practice of at least one specific area of minerals sector activity, by promoting honourable practice and by repressing malpractice and settling disputed points of practice and deciding all questions of professional usage and etiquette affecting members of The AusIMM, by collecting and circulating statistics and other information relative to the various discipline areas of the minerals sector in all its branches, by providing for the delivery and holding of lectures, exhibitions, public meetings, classes and conferences to advance education in mining engineering and its related disciplines whether general, professional or technical, and by employing lecturers, teachers and other persons for these purposes, by encouraging minerals sector study thereby improving and elevating the general and technical knowledge of persons engaged or intending to engage in the profession and for such purposes to assess the competence of such persons and by donating prizes and other awards or distinctions and by granting certificates and instituting and establishing scholarships, grants and other benefactions and by providing for the registration by The AusIMM of holders of such certificates, by communicating to members information on all matters affecting the profession and by printing, publishing, issuing and circulating such papers, periodicals, books, circulars, leaflets and other literary undertakings as may seem conducive to any of the objects of The AusIMM, by encouraging the discovery of and investigating and making known the nature and merits of processes and inventions which may seem capable of being used by persons engaged in the profession, by promoting improvements in the law and supporting or opposing alterations therein and effecting improvements in administration and petitioning the Government and any legislative body or authority and promoting deputations and taking such other steps and proceedings deemed expedient for the furtherance of any of the objects of The AusIMM and promoting and safeguarding the interests of the profession with special reference to mining and metallurgy, and to minerals sector related disciplines, generally.

That it is the belief of The AusIMM that certain amendments to its Original Charter would make its laws consistent with Australian and New Zealand law and would also assist in the better administration of its affairs.

And Whereas The AusIMM has by that representation requested Us to grant a Supplemental Charter for the above-mentioned purposes.

Now Therefore We do, by these Our Letters Patent issued in Our name by Our Governors-General of the Commonwealth of Australia and of the Realm of New Zealand, grant and declare as follows:

1. All of the provisions of the Original Charter, apart from Clause 1 of the Original Charter, are hereby revoked, and the provisions of this Supplemental Royal Charter replace those provisions. Accordingly, The AusIMM shall continue to be a Body Corporate and Politic by the name of ‘The Australasian Institute of Mining and Metallurgy’ and by the same name shall and may sue and be sued in all Courts and in all manner of actions and suits and shall have power to do all other matters and things incidental or appertaining to a body corporate, including power to take and hold personal property and power to
purchase, take on lease and hold lands tenements or legacies, or any interest in any lands tenements or legacies whatsoever, within Our Commonwealth of Australia or Our Realm of New Zealand for the purposes of The AusIMM and power to sell, let on lease, alienate or otherwise dispose of the same or any part thereof. Nothing in this revocation shall affect the validity or legality of the By-Laws or of any act, deed or thing done or executed under or pursuant to the provisions of the Original Charter.

2. The income and property of The AusIMM shall be applied solely towards the promotion of the objects of The AusIMM and no portion shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to the persons who at any time are or have been members of The AusIMM or to any of them or to any person claiming through any of them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers of The AusIMM or to any member thereof or other person in return for services actually rendered to The AusIMM or for goods supplied in the ordinary way of business nor prevent the payment of interest on money borrowed or the payment of rent for premises let to The AusIMM. The AusIMM shall not carry on any trade or business or engage in any transaction with a view to the pecuniary gain or profit of its members.

3. The objects and purposes for which The AusIMM is constituted are to promote and advance the management of minerals sector activities and the science and technology related to or associated with any aspect of the minerals sector, and the specific objective of promoting a safe and sustainable minerals industry, and to facilitate the exchange of information and ideas in relation thereto and for that purpose:

   (a) To raise the character and status and advance the interests of its members engaged in the minerals sector.

   (b) To increase the confidence of the community in the employment of its members by admitting to The AusIMM only such persons as shall have satisfied the Board of The AusIMM that they have an adequate knowledge of both the theory and practice of some specific aspect of the minerals sector.

   (c) To promote ethical practice, to repress malpractice and to settle disputed points of practice and to decide all questions of professional usage and etiquette affecting members of The AusIMM.

   (d) To collect and circulate statistics and other information relative to the minerals sector.

   (e) To provide for the delivery and holding of lectures, exhibitions, public meetings, seminars and conferences to advance education in various
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aspects of the minerals sector, whether general, professional or technical, and to employ lecturers, teachers and other persons for these purposes and to pay all expenses, professional or otherwise, in connection therewith.

(f) To encourage the study of minerals sector technology and related topics and to improve and elevate the general and technical knowledge of persons engaged or intending to engage in the profession and for such purposes, assess the competence of such persons and to award on such terms and conditions as may from time to time be prescribed prizes and other awards or distinctions and to grant certificates and to establish scholarships, grants and other benefactions and to provide for the registration by The AusIMM of holders of such certificates.

(g) To communicate to members information on all matters of relevance to professionals in the minerals industry and in related sectors, and to print, publish, issue and circulate such papers, periodicals, books, circulars, leaflets and other literary undertakings as may seem conducive to any of the objects of The AusIMM.

(h) To encourage the discovery of and to investigate and make known the nature and merits of processes and inventions which may seem capable of being used by persons engaged in the minerals sector.

(i) To promote improvements in the law and to support or oppose alterations therein and to effect improvements in administration and for the purposes aforesaid to petition Government or any legislative body or authority and to promote deputations and to take such steps and proceedings as may be deemed expedient for the furtherance of any of the objects of The AusIMM.

(j) To promote and safeguard the professional interests of members of The AusIMM engaged in any area of the minerals sector in the course of their duties, whether as an independent consultant or an employee.

(k) To do all such other things as The AusIMM may think incidental or conducive to the attainment of the above objects or any of them.

4. Unless and until the By-Laws of The AusIMM shall otherwise provide there shall be seven grades of member, designated Honorary Fellow, Fellow, Member, Associate, Graduate and Student, and Company Member. Honorary Fellows, Fellows and Members shall be known as Corporate Members. Members may use after their name, the designation for their grade of membership as prescribed in the By-Laws.
5. Subject to these Presents the qualifications for, and conditions of admission and transfer from one grade to another, and the privileges and obligations of members including liability to suspension and the conditions of termination of membership, shall be such as the By-Laws of The AusIMM from time to time prescribe.

6. The affairs of The AusIMM shall be managed by a body called ‘the Board’, which shall be the governing body of The AusIMM. The Board will give consideration to the deliberations of ‘Congress’ in making decisions and formulating policy.

7. The Board shall consist of such Corporate Members of The AusIMM as have been elected in accordance with the procedures and for periods set out in the By-Laws. Board members shall not be paid or receive any remuneration or fees for acting, except that the President may receive an honorarium at the discretion of the Board, as permitted under the By-Laws. Congress will consist of representatives of Branches, Committees, Societies, Task Forces and the Board of The AusIMM, and shall meet at least annually to consider The AusIMM’s performance and future direction.

8. The Board shall have the sole control, management and superintendence of the property, income, affairs and concerns of The AusIMM and may appoint such staff as shall in its discretion be deemed necessary, and if not contrary to or inconsistent with the provisions of this Our Charter or any By-Laws made hereunder or the laws and statutes of Our Commonwealth of Australia and Our Realm of New Zealand or any State or Territory thereof, may do all such acts as may appear to it to be necessary or desirable for the purpose of carrying into effect the objects of The AusIMM and in particular and without prejudice to the foregoing powers the Board shall have the following powers:

   (a) To accept any gift of property whether subject to any special trust or not for any of the objects of The AusIMM.

   (b) To invest any moneys of or belonging to The AusIMM in such a manner as may from time to time be determined.

   (c) To borrow, raise or secure the payment or repayment of moneys in such manner as it may think fit.

   (d) To construct, maintain or alter any buildings or works necessary or convenient for the purposes of The AusIMM.

   (e) To sell, lease, mortgage, dispose of or otherwise deal with all or any part of the property of The AusIMM.
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9. The Board may so far as it deems expedient delegate any of its powers (except this power of delegation) to Committees of Branches and of Societies for the time being of The AusIMM and also to the Committees and Task Forces appointed to deal with specific matters.

10. To carry out the objects of The AusIMM more effectively and to stimulate interest and to ensure effective Congress representation, the Commonwealth of Australia and the Realm of New Zealand and such other regions as may be conveniently defined shall be designated regions and members of The AusIMM resident in such a region shall constitute a Branch of The AusIMM. For the purposes of closer co-operation in technical and professional matters Societies of The AusIMM may be formed. The Board shall have power to establish other Branches and Societies and from time to time to alter the areas and boundaries of any Branch and to amalgamate, sub-divide or close down any Branch or Society, and to alter the powers and obligations of the Branches or Societies or any of them and of the Committees managing any Branch or Society.

11. Meetings of The AusIMM shall be held for such purposes as may from time to time be prescribed by the By-Laws of The AusIMM and the rights of the several grades of members of The AusIMM at such meetings shall except as herein otherwise provided be such or subject to such restrictions as may be prescribed by the By-Laws of The AusIMM.

12. The majority of the Corporate Members present in person or by proxy and voting at a General Meeting of The AusIMM specially called for the purpose of which due notice has been given shall have the power from time to time to make such By-Laws as shall seem requisite and convenient for the regulation government and advantage of The AusIMM, its members and property and for the furtherance of its objects and purposes and from time to time to revoke, alter or amend any By-Law or By-Laws previously made but so that the same be not repugnant to these Presents or to the laws and Statutes of Our Commonwealth of Australia and Our Realm of New Zealand or any State or Territory thereof; provided that no such By-Law, revocation, alteration or amendment shall take effect until approved by Our Governors-General of Our Commonwealth of Australia and Our Realm of New Zealand. The AusIMM shall cause all such By-Laws when allowed with the formal allowance to be printed and published in the official Gazette published by Our Governments of Our Commonwealth of Australia and Our Realm of New Zealand.

13. Unless and until rescinded, varied or added to in accordance with the preceding Articles, the By-Laws appended to this Our Supplemental Charter shall constitute the By-Laws of The AusIMM.

And Lastly We do grant and declare for Us, Our Heirs and Our Successors that this Our Supplemental Charter shall be in all things valid and effectual in law according to
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its true intent and meaning and shall be taken, construed and adjudged in the most favourable and beneficial sense for the best advantage of The AusIMM as well in Our Courts of Record as elsewhere by all judges, justices, officers, ministers and other subjects of Us, Our Heirs, and Our Successors any non-recital, mis-recital or other omission defect or thing to the contrary notwithstanding.

Witness under my hand and the Great Seal of Australia on (THE GREAT SEAL OF AUSTRALIA)

(Date)

Governor General

Witness under my hand and the Great Seal of New Zealand on (THE GREAT SEAL OF NEW ZEALAND)

(Date)

Governor General

Schedule: The By-Laws of The AusIMM.